

Apr 25-05 07:05pm From:HUNTON & WILLIAMS

RECEIVED  
CENTRAL FAX CENTER

T-391 P.01/05 F-365

APR 25 2005

**HUNTON &  
WILLIAMS**

HUNTON & WILLIAMS LLP  
1751 Pinnacle Drive  
Suite 1700  
McLean, Virginia 22102

Tel 703 • 714 • 7400  
Fax 703 • 714 • 7410

FAX

TO NAME: Kimberly T. Wood  
FIRM: U.S. Patent & Trademark Office  
FAX NO.: 703-872-9306  
PHONE NO.:  
PAGES (INCLUDING COVER): 5  
ORIGINAL TO FOLLOW IN MAIL: ☐ Yes ☒ No  
FROM NAME: James R. Miner, Reg. No. 40,444  
FLOOR:  
DIRECT DIAL: (703) 714-7558

MESSAGE Attached please find the following regarding U.S. Patent Application No. 10/787,150:  
1. Response to Restriction Requirement (3 pages);  $\times$   
2. Certificate of Transmission (1 page); and  $\times$   
3. Fax Cover Sheet (1 page)  $\times$

IF PROBLEM WITH TRANSMISSION, PLEASE CONTACT OPERATOR AT 703 • 714 • 7500 .

OPERATOR

DATE: April 25, 2005  
TIME:  
CLIENT/MATTER NAME:  
CLIENT/MATTER NO.: 56730.000004

This communication is confidential and is intended to be privileged pursuant to the attorney-client privilege and the work-product doctrine. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

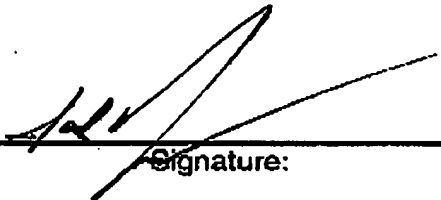
56730.000004 FAIRFAX 266786v1

Application No.: 10/787,150  
Attorney Docket No. 56730.000004

### Certificate Of Transmission Under 37 Cfr 1.8

I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office

on April 25, 2005.  
Date

  
\_\_\_\_\_  
Signature:

James R. Miner, Reg. No. 40,444  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of transmission, or this  
certificate must identify each submitted paper.

1. Response to Restriction Requirement (3 pages); ✓
2. Certificate of Transmission (1 page); and +
3. Fax Cover Sheet (1 page). +

**Burden Hour Statement:** This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office,  
Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents,  
Washington, DC 20231

47

APR 25 2005

Application No.: 10/787,150  
Attorney Docket No. 56730.000004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : )  
Beverly C. Phifer ) Group Art Unit: 3632  
Application No.: 10/787,150 ) Examiner: Kimberly T. Wood  
Filed: February 27, 2004 )  
For: "READING STAND"

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 24, 2005, Applicant hereby traverses the restriction requirement and requests reconsideration and withdrawal of such requirement.

Claims 1-41 are presently pending in the application.

**A. SUMMARY OF RESTRICTION REQUIREMENT**

The Office Action asserts that the application contains claims directed to patentable distinct species of the claimed invention:

Species I drawn to figures 1-17;

Species II drawn to figures 18 and 19; and

Species III drawn to figure 20.

The Office Action asserts that Applicant is required to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Application No.: 10/787,150  
Attorney Docket No. 56730.000004

**B. ELECTION**

Applicant hereby provisionally elects species I drawn to figures 1-17. Further, Applicant respectfully submits that all of claims 1-41 are readable on such elected species.

**C. TRAVERSAL**

Applicant respectfully traverses the restriction requirement. It is submitted that, due to the related subject matter of the asserted species, a complete and thorough search of one species would involve a search of the areas relevant to the two non-elected species. Accordingly, Applicant submits that the burden on the Examiner does not warrant requiring Applicant to potentially pay duplicative PTO fees and perform duplicative prosecution to obtain patent protection for the present invention.

However, Applicant submits that presently all of claims 1-41 are readable on the elected species. Accordingly, Applicant requests examination on the merits of claims 1-41.

**D. CONCLUSION**

Applicant believes that no fees are necessary in connection with the filing of this document. In the event any fees are necessary, please charge or credit any such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206.

Application No.: 10/787,150  
Attorney Docket No. 56730.000004

The Examiner is respectfully requested to call Applicant's undersigned representative at the telephone number below if any assistance might be provided to the Examiner in the examination of the application.

Respectfully submitted,

HUNTON & WILLIAMS

Date: April 25, 2005

By:

  
James R. Miner  
Registration No. 40,444

Hunton & Williams LLP  
Intellectual Property Department  
1900 K Street, NW, Suite 1200  
Washington, D.C. 20006-1109  
(202) 955-1500 (Telephone)  
(202) 778-2201 (Facsimile)